

REMARKS/ARGUMENTS

This amendment is in response to the Office action dated June 10, 2008. Claims 1, 5-58 and 60-89 have been amended. Claims 2-4, 59 and 90 have been canceled without prejudice, disclaimer and/or in view of the rejections. Claims 1, 5-58 and 60-89 are pending in this application.

CLAIM OBJECTIONS

On page 2 of the action, Claim 38 is objected to because of the following informality: Claim 38 is currently dependent on claim 44. Based on the flow of other claims and the subject matter involved, claim 38 should be dependent on claim 37. Claim 38 has been amended to depend from claim 37. Accordingly, reconsideration and withdrawal of the objection are respectfully requested.

CLAIM REJECTIONS – 35 USC 101

On page 3 of the action, claims 1 - 90 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter as follows.

Claims 1 - 50 and 81 - 90 define a "file" with descriptive material. Claims 51 - 80 define "medium" with descriptive material. Examiner recommends changing "A medium having a file stored thereon" to "A computer readable medium on which a program is recorded having a file stored thereon". Accordingly, the claims have been amended to provide "A computer readable medium on which a program is recorded having a file stored thereon" as recommended by the Examiner. Thus, reconsideration and withdrawal of the claim rejections are respectfully requested.

CLAIM REJECTIONS – 35 USC 102, 103 – ALLOWABLE SUBJECT MATTER

On pages 4-40, Claims 1-3, 5-28, 30-33, 36-40, 42-48, 51-58, 62-69, 71-72, 75-76, 78-79, and 81-89 are under 35 U.S.C. 103(a) as being unpatentable. Applicant respectfully traverses these rejections.

However, Applicant also acknowledges with appreciation that on page 33 of the action, claims 4, 29, 34, 35, 41, 49, 50, 59, 60, 61, 70, 73, 74, 77, and 80 are allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Also, on page 38 of the action, claim 90 is indicted to be allowable. Accordingly, independent claim 1 has been amended to incorporate allowable claim 4 and intervening claims 2-3 and thus is believed to be patentable. As such, claims 2-4 have been canceled without prejudice, disclaimer and/or in view of the rejections.

Also, allowable claims 29, 34, 41 and 49 have been rewritten in independent form incorporating base claim 1 and respective intervening claims and thus claims 29, 34, 41 and 49 are believed to be patentable. Since claims 35 and 50 depend from now respective allowable claims 34 and 49 and contain additional limitations that are patentably distinguishable over the references of record, claims 34 and 49 are also believed to be patentable. Furthermore, since claims 5-28, 30-33, 36-40 and 42-48 depend from now allowable claim 1 and contain additional limitations that are patentably distinguishable over the references of record, these claims are also believed to be patentable.

Independent claim 51 has been amended to incorporate allowable claim 59 and thus is believed to be patentable. As such, claim 59 has been canceled without prejudice, disclaimer and/or in view of the rejections. Since claims 52-58, 60-69, 71-72, 75-76 and 78-79 depend from now allowable claim 51 and contain additional limitations that are patentably distinguishable over the references of record, these claims are also believed to be patentable.

Allowable claims 70, 73, 77 and 80 have been rewritten independent form and to incorporate base claim 51 and respective intervening claims and thus are believed to be patentable. Since claim 74 depends from now allowable claim 73 and contains additional limitations that are patentably distinguishable over the references of record, claim 74 is also believed to be patentable.

Independent claim 81 has been amended to incorporate allowable claim 90 and thus is believed to be patentable. As such, claim 90 has been canceled without prejudice, disclaimer and/or in view of the rejections. Since claims 82-89 depend from now allowable claim 81 and contain additional limitations that are patentably distinguishable over the references of record, these claims are also believed to be patentable. Thus, reconsideration and withdrawal of the claim rejections are respectfully requested.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is in condition for allowance. Accordingly, reconsideration of the application and allowance of the claims are respectfully requested. Although the present paper may include a combination of alterations to the application or claims, or characterizations of claim scope or referenced art, Applicants are not conceding that previously pending claims in this application are not patentable over the cited references. Rather, any alterations and/or characterizations are made to strictly facilitate prosecution of this application. As such, reviewers of this or any parent, child, or related prosecution history shall not reasonably infer that Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

Applicants have submitted amendments and arguments believed to be sufficient to overcome all of the outstanding rejections. Consequently, Applicants have not advanced every argument for the allowability of the claims over the references of

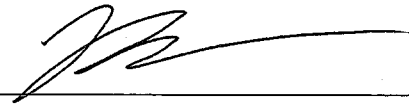
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record. As such, Applicants do not acquiesce to any of the Examiner's statements or characterizations not specifically traversed. If the Examiner should have any remaining questions or objections, a telephone interview to discuss and resolve these issues is respectfully requested.

Respectfully submitted,

KAUTH, POMEROY, PECK & BAILEY LLP

By 

Patrick Y. Ikehara

Registration No. 42,681

949.852.0000

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Attachments

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